

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 239B.4(6), the Department of Human Services amends Chapter 45, "Payment," Iowa Administrative Code.

This amendment allows the Department to issue assistance under the Family Investment Program (FIP) either by electronic access card, or by direct deposit to the client's own bank account, or by warrant. Assistance payments will be issued by electronic access card unless the client requests direct deposit or the Department determines that it is not practicable to issue payment by electronic access card. The Department will use the same electronic access card to issue FIP and Refugee Cash Assistance benefits as the Iowa Workforce Development Department uses to issue unemployment insurance benefits.

Issuing assistance by electronic access card will reduce overhead costs in distributing benefits and will also have advantages for clients, including:

- Providing assistance in a safer, timelier manner.
- Avoiding mail delays, losses, or theft of warrants.
- Greater convenience in accessing and handling funds.
- Avoiding check-cashing fees.
- Improved financial literacy skills as clients become more familiar with using financial institutions.

This amendment provides for waivers for clients who do not wish to use the electronic access card by offering the option of direct deposit to the client's own bank account.

This amendment was also Adopted and Filed Without Notice and was published in the Iowa Administrative Bulletin on July 29, 2009, as **ARC 8005B**. Notice of Intended Action to solicit public comment on the amendment was published on the same date as **ARC 8006B**. The Department received no comments on the Notice of Intended Action. This amendment is identical to that Adopted and Filed Without Notice and published under Notice of Intended Action.

The Council on Human Services adopted this amendment on September 16, 2009.

This amendment is intended to implement Iowa Code chapter 239B.

This amendment shall become effective on November 11, 2009, at which time the amendment that was Adopted and Filed Without Notice is rescinded.

The following amendment is adopted.

Rescind rule 441—45.21(239B) and adopt the following **new** rule in lieu thereof:

441—45.21(239B) Issuing payment. The department may issue assistance payments under the family investment program (FIP):

1. By electronic access card,
2. By direct deposit to the recipient's own account in a financial institution, or
3. By warrant.

45.21(1) *Electronic access card.* The department shall make payments available through an electronic access card issued to the payee except when:

- a. The recipient requests direct deposit; or
- b. The department determines it is not practicable to issue the payment by electronic access card.

45.21(2) *Direct deposit.* The department shall issue payments by direct deposit to the recipient's own account in a financial institution if the recipient completes Form 470-0261, Agreement for Automatic Deposit, to request direct deposit.

45.21(3) *Warrant.* The department shall issue payments by warrant when the recipient has not requested direct deposit and the department determines it is not practicable to issue payment by electronic access card. These circumstances include but are not limited to the following:

- a. A one-time payment is issued.
- b. The payee is a representative payee, conservator, or guardian who is not part of the FIP assistance unit.

c. The payee is unable to provide a social security number or an individual taxpayer identification number.

[Filed 9/17/09, effective 11/11/09]

[Published 10/7/09]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/7/09.